

# Iowa Department of Human Rights

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CHESTER J. CULVER  
GOVERNOR

PATTY JUDGE  
LT. GOVERNOR

CRIMINAL AND JUVENILE JUSTICE PLANNING  
AND STATISTICAL ANALYSIS CENTER  
PAUL STAGEBERG, ADMINISTRATOR

**CRIMINAL & JUVENILE JUSTICE PLANNING ADVISORY COUNCIL  
MINUTES OF REGULAR MEETING  
DEPARTMENT OF HUMAN RIGHTS  
LUCAS STATE OFFICE BUILDING  
312 EAST 12TH STREET  
DES MOINES, IA  
JULY 21, 2010  
12:30 PM – 3:30 PM**

- Present:** Tom Ferguson (Presiding); Rep. Clel Baudler; Kim Cheeks; Stephanie Fawkes-Lee; Clarence Key, Jr.; Sen. Keith Kreiman; Ross Loder; Rep. Jim Lykam; Rebecca Hansen for Tomas Rodriguez; Lettie Prell; Sherri Soich; Kathy Stone; Tom Walton; Doug Wolfe
- Staff:** Paul Stageberg; Phyllis Blood; Kile Beisner; Michelle Cook; Scott Musel; Julie Rinker; Lanette Watson
- Absent:** Paul Fitzgerald; Gary Kendell; Sen. Steve Kettering; Michelle Leonard; Catherine Reaman-Gerdes; Tomas Rodriguez; John Spinks, Jr.;
- Guests:** Cathy Engel; Bill Freeland; Anna Hyatt-Crozier; Beth Lenstra

**I. Call to Order, Welcome and Introductions**

Tom Ferguson, Chair, called the meeting to order at 12:37 p.m. A quorum was present. Introductions were made. A roster of the current Council membership was distributed.

**II. Approval of May 5, 2010 Minutes**

Ross Loder moved to approve the minutes, seconded by Lettie Prell. There was no discussion, the motion carried.

**III. Public Safety Advisory Board**

Ferguson stated the purpose of the meeting was to discuss how to proceed regarding the Public Safety Advisory Board (PSAB).

**a. Review of Legislation**

Paul Stageberg, CJJP Division Administrator, reviewed the recently passed legislation that established the PSAB within the Division and the CJJP Advisory Council. The legislation is the result of sentencing commission discussions by the interim committee reviewing criminal code revisions. Since CJJP was already providing some of the functions of other states' sentencing commissions, it made sense to place the PSAB within CJJP, rather than duplicating efforts elsewhere. Therefore, as specified in the legislation, the primary purpose of this meeting is to determine the membership of the PSAB.

Stageberg noted that the legislation also included the creation of two new positions within CJJP—a Justice Systems Analyst and a Statistical Research Analyst 3. The Justice Systems Analyst has been posted. The Statistical Research Analyst 3 position will be posted at a later date.

**b. Review of Background from other states**

Phyllis Blood suggested reviewing the handouts provided regarding sentencing commissions in other states. The Council should consider by-laws, structure and frequency of meetings. The legislation is clear that the actions of the PSAB must be considered separate from the CJJP Advisory Council (Council). She reminded the Council of the report to the Legislature due December 1, 2010 and asked for suggestions for content.

**c. Review of Review of Cross Governmental Sentencing & Corrections Policy Forum**

Lettie Prell reviewed a handout regarding the Cross Governmental Sentencing & Corrections Policy Forum held in June. Following the Forum, the Pew Foundation contacted attendees and offered grant assistance. She wanted the Council to be aware of opportunities for technical assistance and speakers.

**d. Review of CJJP data examples**

This agenda item was not discussed.

**IV. Council Discussion of materials**

Ferguson suggested the group discuss frequency of meetings and membership.

The Council discussed the pros and cons of meeting during the Legislative session. No formal decision was made.

The Council discussed issues related to quorum if the PSAB included the entire Council membership and needed to meet more frequently. Sub-committees may be better suited to provide focus and conduct some of the work. Reports could be provided to and formal action taken by the PSAB.

**Ross Loder moved that the current members of the Council would be considered the full membership of the PSAB, with the stipulation that vacancies when filled would transfer to the PSAB and the PSAB would be directed to consider establishing committees as deemed appropriate by the PSAB, having a smaller membership and meeting more frequently. The motion was seconded by Tom Walton.**

Discussion included the following:

- The current membership of the Council comprises the full membership of the PSAB.
- The new legislation designates legislators as voting members and no longer ex officio.
- The new legislation states that House members serve in alternating four-year intervals. The Chair and Ranking Member of the House Committee on Public Safety serve during the initial four-year interval, followed by the Chair and Ranking Member of the House Committee on Judiciary.
- Lettie Prell requested that the PSAB appoint a district member from Department of Correctional Services. She was concerned that the current motion would prevent the addition of her request. It was noted her request was out of order and that further discussion could follow the vote on the current motion.

**There was no further discussion. The motion carried unanimously.**

Ferguson asked for consideration of additional members not already on the Council.

Prell responded that the Iowa Department of Corrections suggests the inclusion of a district representative from the Departments of Correctional Services. The representative could be nominated by the director of the Department of Corrections in consultation with the district directors. The Departments of Correctional Services operate community-based corrections and report to the governing boards in each judicial district. The purpose would be to share perspective(s) when legislation pertains to community-based corrections.

**Prell moved that the PSAB membership include a representative from the district Departments of Correctional Services, seconded by Clarence Key.**

During discussion, Ross Loder reviewed the new legislation pertaining to membership. There was consensus that it does not provide for additional PSAB members who are not already members of the Council.

Prell withdrew her motion, followed by Key who withdrew his second.

There was discussion regarding ex officio members. It was noted that while the legislation does not prevent the addition of ex officio members, "The Board may call upon any department, agency, or office of the state, or any political subdivision of the state, for information or assistance as needed in the performance of its duties...". Therefore, there was consensus that no ex officio members would be added.

Ferguson asked for discussion regarding bylaws, guidelines for quorum, and other operational issues. Loder questioned the necessity since the PSAB is a governmental entity created under state law and would, by default, follow requirements for public meetings, notices, etc.

After a brief discussion, Sherri Soich agreed to contact the Attorney General's office for further guidance and information. She will report back to the group.

## **V. Identification of first steps/priorities**

A lengthy discussion was held regarding the best way to solicit suggestions from various public/private agencies and the general public.

Ferguson reminded the group of the limited resources. He suggested the Council determine priorities, then have volunteers review and bring back to the board for further discussion and action.

Senator Kreiman requested that the PSAB consider a review of forfeiture laws and the expungement of simple misdemeanors. Other suggestions included synthetic marijuana (K2) and the recent Iowa Supreme Court case affecting domestic abuse victims pertaining to the release of personal information.

The group discussed mechanisms to solicit suggestions from other agencies, interested parties, and the public. It was agreed that Blood will compile suggestions and a brief synopsis of issues will be presented for discussion at the next meeting.

**VI. Future meeting dates**

The next Council meeting will be September 8, 2010, from 10:00 am to Noon. The group will break for lunch and the PSAB will meet from 1:00 pm to 3:30 pm.

The PSAB will elect a Chair and further discuss structure based on information from the Attorney General's office.

**VII. Adjournment**

**A motion to adjourn was made by Clarence Key, seconded by Kathy Stone. The meeting adjourned at 2:45 p.m.**

Respectfully submitted,

Julie Rinker  
Administrative Secretary

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